

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bruchez *et al.*

Title: Cells having a spectral signature and methods of preparation and use thereof

Appl. No: 09/972,744

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4380

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Examiner: Pensee Do

Art Unit: 1641

RESPONSE TO NON-FINAL REJECTION

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The following response to the Office Action mailed on August 10, 2006 is being timely submitted on or before the shortened three-month statutory response period of November 10, 2006.

Applicants believe that no fees are due in connection with this filing; however, should any fees be due, the Commissioner is hereby authorized, under 37 C.F.R. §§ 1.16-1.17, to charge or credit any overpayment to Deposit Account No. **13-3900**. This is not an authorization to charge the issue fee.

Remarks begin on page 2 of this paper.